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May 26, 2009

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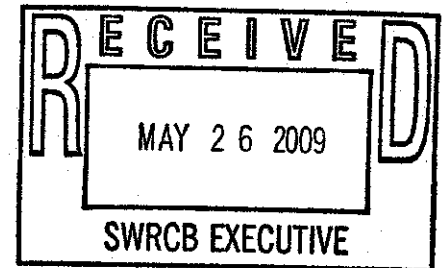
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**Via E-mail & U.S. Mail**

Charles R. Hoppin, Chair, and Members  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814  
Attn: Jeanine Townsend, Acting Clerk to the Board  
([commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov))



Dear Mr. Hoppin and Members of the Board:

**SUBJECT: Revised State Water Resources Control Board's Draft General Waste Discharge Requirements for Landscape Irrigation Uses for Municipal Recycled Water (General Permit) of May 7, 2009**

On April 27, 2009, Eastern Municipal Water District (EMWD) submitted comments on the previous draft of the State Water Resources Control Board's Draft General Permit. As the General Permit has been revised on May 7, 2009, EMWD submits the additional comments on the new version of the permit. EMWD recognizes that several of our previous comments were acknowledged and the revised permit corrects many of our key concerns with the original version. We appreciate the fact that our concerns have been recognized, however, we would like to emphasize that we still have the following remaining concerns with the May 7, 2009 version of the General Permit.

1. Page 1, paragraphs 2 and 3, from these two paragraphs, we understand that this general permit does not apply to agricultural irrigation. We recommend that the intent to not include agricultural irrigation be specifically stated in the permit.
2. Page 8 of 21, paragraph 28, just a point of clarification, that as stated in the paragraph, having a master reclamation permit, an Administrator is not required to be covered under this General Permit.

"Administrators that operate pursuant to a master reclamation permit shall be allowed to retain coverage under the master reclamation permit. Alternatively, the Administrator may request coverage under this General Permit."

3. Page 9 and 10, paragraph 38, this paragraph in our opinion interprets the guiding factors of Section 13241 and we feel this is inappropriate. We recommend that you use the exact language in Section 13241 that is as follows:
- a. Past, present, and probable future beneficial uses of water.
  - b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
  - c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
  - d. Economic considerations.
  - e. The need for developing housing within the region.
  - f. The need to develop and use recycled water.

4. Page 12, paragraph A.3., prohibited the use of the recycled water of individual owned residences. We recommend removal of the prohibition as it is contrary to language on Page 1, Paragraph 3, vi. Inclusion of landscape irrigation projects such as "Residential landscaping", as well as the footnote 5 for the allowance of Regional Water Boards to individually address owned residences on a case-by-case basis.

In addition, currently EMWD has two (2) individual residences that are utilizing recycled water for landscape. Residential properties within EMWD's service area can be as large as several acres, and recycled water use would benefit both the property owners as well as EMWD.

5. Page 12, paragraph A.5, prohibits the use of the recycled water for uses other than landscape irrigation. We recommend removal of the prohibition as Title 22 allows recycled water to be used in areas, such as agricultural irrigation, industrial uses, and cooling towers.
6. Page 12, paragraph A.11, we recommend removing this prohibition as it does not allow for offset and mitigation programs if water quality objective is exceeded.
7. Page 15, paragraph C.1.a, recommend that the Producers either comply with this General Permit, "or" their existing waste discharge requirements, not both. One permit should be sufficient to regulate the reuse of the recycled water.

As stated in Page 8, paragraph 28, having a master reclamation permit, an Administrator is not required to be covered under this General Permit.

8. Page 16, paragraph C.5, recommends the removal of the submission requirements in this section, especially for existing sites. EMWD has 167 landscape use sites that have been approved and operational for many years. This is an onerous task and we do not understand the benefit of such a requirement. We strongly recommend reliance on the local Regional Boards and CDPH to monitor the details and reports for the reuse sites and upon the States request for specific information, the agency can provide those documents. This reporting requirement is duplicative.

Charles R. Hoppin, Chair, and Members  
Page 3  
May 26, 2009

9. Page 17, paragraph C. 5 i., iii., iv., and v., recommend that the removal of the agronomic rate requirements as this would be burdensome on both the user and Administrator. Typically, Recycled Water users will want to be economical with the water as well as fertilizer use. Therefore, incorporating agronomic rate as a BMP into the Recycled Water Use Supervisor training.
10. Monitoring and Reporting Program, EMWD appreciates some of the changes that have been in this section. For instance, the frequency of reporting. However, we still recommend that this entire section be eliminated and let the Producer provide recommendations for demonstrating compliance. The concern is that we will be required to prepare two separate reports with nearly the same information and more. Currently, EMWD's reuse program is authorized under a master permit where we submit monthly and annual self monitoring reports. These new reporting requirements only add an additional reporting program on an already reporting intensive requirement. EMWD would like to have the ability to retain our current practices without these additional, onerous requirements.
11. Attachment A, include definition of "Recycled Water Use Supervisor".

Once again, thank you for the opportunity to comment. If you have any questions please feel free to contact Jayne Joy at (951) 928-3777 extension 6241.

Sincerely,



Anthony J. Pack  
General Manager

JJ: aj, tm

cc: Records Management

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